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(3) FISH & RICHARDSON 6175428906

NO. 9418 P. 1

Attorney's Docket No.: 07880-126001

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Applicant : Aura Ganz et al.

Art Unit : 2616

Serial No. : 09/502,143

Examiner : Alpus Hsu

Filed : February 11, 2000

Title : ADAPTIVE MEDIA CONTROL

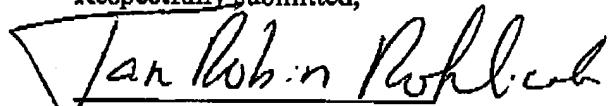
Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Attached to this facsimile communication cover sheet is Reply to Action of April 4, 2006, faxed this 11th day of April, 2006, to the United States Patent and Trademark Office.

Respectfully submitted,



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Reg. No. 43,349

Date: April 11, 2006

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REPLY TO ACTION OF APRIL 4, 2006

In reply to the Final Office Action of April 4, 2006, Applicant submits the following remarks.

The Office Action of October 28, 2005 disapproved the terminal disclaimer by assignee that was submitted on January 20, 2006, a copy of which is attached.

The terminal disclaimer was signed under 1.321(b) (i)(iii) by Michael Jaremcuk, whose title is Associate Director, University of Massachusetts. Mr. Jaremcuk is authorized to act on behalf of the University of Massachusetts. Therefore, the terminal disclaimer should not have been disapproved.

The only rejected of the claims is under obvious-type double patenting, which is addressed by the previously submitted terminal disclaimer. Therefore, the applicant respectfully requests allowance of the application.

Please apply any charges or credits to deposit account 06-1050.

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

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